# BEFORE THE BOARD OF PODIATRY EXAMINERS OF THE STATE OF IOWA

#### IN THE MATTER OF

## **SCOTT JAMES HOFFMAN, DPM**

#### POD 01 -002

## SETTLEMENT AGREEMENT AND FINAL ORDER

COMES NOW the Iowa Board of Podiatry Examiners (the Board), and Scott

James Hoffman, DPM (Respondent), and enter into the following Settlement Agreement
and Final Order of the contested case currently on file.

- 1. Respondent was issued license number 193-00395 to practice podiatry in the State of Iowa on July 11, 1982.
- A Statement of Charges was filed against Respondent on October 1,
   2003.
  - 3. The Board has jurisdiction over the parties and the subject matter.
  - 4. Respondent admits the allegations in the Statement of Charges.
- 5. Respondent completed substance abuse treatment at the Keystone Treatment Center in Keystone, South Dakota, in August 2002. Respondent completed substance abuse treatment at Hazelden Springbrook in October and November of 2002. Respondent completed substance abuse treatment at the Mayo Clinic in Rochester, Minnesota, in May of 2003. Respondent successfully completed treatment at Hazelden Minnesota from November of 2003 to April of 2004.

- 6. Immediately upon the Board's approval of this Settlement Agreement and Final Order, the Respondent's license to practice podiatry shall be placed on probation for a period of five (5) years, subject to the following terms:
  - a. Respondent shall return his original license certificate and current wallet card to the Board office within ten (10) days of the date of this Settlement Agreement and Final Order, to be replaced by a probationary certificate and card.
  - Respondent shall comply with all aftercare recommendations made by the
     Hazelden program upon his release from treatment.
  - c. Respondent shall not consume alcohol.
  - d. Respondent shall not use any controlled or prescription drug in any form unless the drug has been prescribed for Respondent's use by a duly licensed treating physician or other qualified treating health care provider. Respondent shall provide the Board written notice within 72 hours of the use of any controlled or prescription drug. Respondent shall inform any treating physician or health care provider of his history of substance abuse prior to receiving any prescription drug.
  - e. Respondent shall participate in a random, witnessed urine or blood screening program approved by the Board. Respondent further agrees to provide witnessed blood or urine specimens on demand by an agent of the Board. Respondent shall pay all costs associated with all drug and alcohol screening.
  - f. Respondent shall attend at least four (4) times a week a meeting of AA,
     NA, or similar meetings approved by the Board. Respondent shall provide

the Board a written statement indicating he has obtained an AA sponsor. Respondent shall include with each quarterly report a statement that he has met regularly, but at least once a week, with his AA sponsor. Respondent shall also include with each quarterly report statements signed or initialed by another person in attendance at the meetings verifying that Respondent has attended the meeting. The statement shall include the time, date, and location of the meetings attended.

- g. Respondent shall within ten days of the date of the Board's approval of this Settlement Agreement submit to the Board for its approval the name and curriculum vitae of a psychiatrist or physician specializing in the treatment of substance abuse, who will provide Respondent's continued treatment during the period of his probation.
  - (1) As a condition of the Board's approval, the physician shall agree to submit written quarterly reports to the Board concerning

    Respondent's treatment progress. The physician shall also agree to immediately report any relapse by Respondent, any failure of Respondent to comply with any recommendations made by the physician, or any other concerns that may affect Respondent's ability to practice podiatry with reasonable skill and safety.
  - (2) Respondent shall continue with substance abuse recovery under the supervision of the Board-approved physician until discharged from treatment by that physician and that discharge from treatment is approved by the Board.

- (3) Respondent shall comply with all recommendations made by the Board-approved physician.
- h. Prior to returning to the practice of podiatry in lowa, Respondent shall submit for Board approval the name of another health care provider who regularly observes and/or supervises Respondent in the practice of podiatry to serve as a worksite monitor. The worksite monitor shall provide the Board a written statement indicating that he/she has read and understands all Board orders relating to this matter and agrees to act as the worksite monitor under the terms of this agreement. The worksite monitor shall agree to inform the Board immediately if there is evidence of substance abuse, inappropriate behavior, or a violation of the terms of this order or the laws governing the practice of podiatry in lowa. The practice monitor shall agree to submit quarterly reports to the Board concerning Respondent's progress.
- Respondent shall file quarterly reports with the Board verifying his compliance with all the terms and conditions of this Settlement Agreement.
- j. Respondent shall fully cooperate in announced or random visits, reviews, or evaluations by the Board or its designee
- k. Respondent shall notify the Board of any change of employment or address within fourteen (14) days of the change.
- Respondent shall make personal appearances before the Board upon the Board's request. Respondent shall be given reasonable notice of the

- date, time, and place for the appearances. Such appearances are subject to the waiver provisions of 645 IAC 9.7.
- m. Respondent shall obey all federal, state, and local laws, and all rules governing the practice of podiatry in lowa.
- n. Periods of practice outside the State of Iowa shall not be credited towards the term of Respondent's probation, unless approved by the Board.
- 7. In the event Respondent violates or fails to comply with any of the terms or provisions of this Settlement Agreement and Final Order, the Board may initiate appropriate action to revoke or suspend Respondent's license or to impose other licensee discipline as authorized in Iowa Code Sections 148.6 and 272C.3(2)(a) (1999).
- 8. This Settlement Agreement and Final Order is the resolution of a contested case. By entering into this Settlement Agreement, Respondent waives all rights to a contested case hearing, and waives any objection to the terms of this Settlement Agreement.
- This Settlement Agreement and Final Order is voluntarily submitted by Respondent to the Board for its consideration.
- 10. This Settlement Agreement and Final Order must be approved by the Board. If the Board fails to approve this Settlement Agreement it shall be of no force or effect to either party.
- 11. The Board's approval of this Settlement Agreement and Final Order shall constitute a **FINAL ORDER** of the Board.

This Settlement Agreement and Final Order is approved by the Board on July 9, 2004.